

Serial No. **53640**

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

**JUN 30 1989**

Date of filing in State Engineer's Office.....

Returned to applicant for correction.....

**SEP 26 1989**

Map filed **DEC 19 1989** under **53596**

Corrected application filed.....

The applicant U.S. Fish and Wildlife Service

1002 N.E. Holladay Street of Portland  
Street and No. or P.O. Box No. City or Town

Oregon 97232-4181 hereby make.s application for permission to change the  
State and Zip Code No.

point of diversion, manner of use, and place of use  
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Certificate Record No. 4109 (Permit No. 12712)  
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.)

1. The source of water is Bradford Spring No. 3  
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 1.40 c.f.s.  
Second feet, acre feet. One second foot equals 448.3 gallons per minute.

3. The water to be used for wildlife purposes  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for irrigation  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point NE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 11, T.18S., R.50E., M.D.B.&M.  
Describe as being within a 40-acre subdivision of public survey and by course and

The  $\frac{1}{4}$  corner between Section 11 and 12, same Township and Range, bears N. 70° 12'  
distance to a section corner. If on unsurveyed land, it should be stated.

25" E at a distance of 94 feet.

6. The existing permitted point of diversion is located within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 11, T.18S., R.50E.,  
M.D.B.&M., or at a point from which the E $\frac{1}{4}$  corner If point of diversion is not changed, do not answer  
of said Section 11 bears N. 89° 50' E., 131.0 feet, situated in Nye County, State  
of Nevada.

7. Proposed place of use Ash Meadows National Wildlife Refuge (See Attachment A for legal  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
description).

2.87 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 11, T.18S., R.50E., M.D.B.&M.  
8. Existing place of use 16.60 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 11, T.18S., R.50E., M.D.B.&M.  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
17.60 acres in the  
NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 11, T.18S., R.50E., M.D.B.&M. 26.00 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of  
manner of use of irrigation permit, describe acreage to be removed from irrigation. Section 11, T.18S., R.50E., M.D.B.&M.  
14.60 acres in the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 11, T.18S., R.50E., M.D.B.&M.

9. Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day

10. Use was permitted from March 1 to November 1 of each year.  
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.) As much as practicable, re-establish historical  
State manner in which water is to be diverted, i.e., diversion structure, ditches,  
natural drainage patterns and wetlands.  
pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$70,000 for entire refuge system.

13. Estimated time required to construct works four years.

14. Estimated time required to complete the application of water to beneficial use.....five years.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

.....Water will be used on Ash Meadows National Wildlife Refuge for wildlife.....  
.....purposes.....

.....  
.....s/Robert Oser  
By.....U.S. Fish and Wildlife Service.....  
.....1002 N E HOLLADAY STREET.....  
.....PORTLAND, OREGON 97232-4181.....

Compared.....pm/se.....am/se.....

Protested.....

.....APPROVAL..... OF STATE ENGINEER

This is to certify I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, manner and place of use of the waters of Bradford Springs No. 3 as heretofore granted under Permit 12712, Certificate 4109 is issued subject to the terms and conditions imposed in said Permit 12712, Certificate 4109 and with the understanding that no other rights on the source will be affected by the change proposed herein. A measuring device must be installed and measurements of water use kept.

The total duty of water under this permit and Permit No. 53639 shall not exceed 388.35 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....1.40.....cubic feet per second, but not to exceed 388.35 acre-  
.....feet annually.....

Work must be prosecuted with reasonable diligence and be completed on or before.....September 28, 1992

Proof of completion of work shall be filed before.....October 28, 1992

Application of water to beneficial use shall be made on or before.....September 28, 1995

Proof of the application of water to beneficial use shall be filed on or before.....October 28, 1995

Map in support of proof of beneficial use shall be filed on or before.....N/A.....

Completion of work filed.....OCT 16 1995..... IN TESTIMONY WHEREOF, I.....R. MICHAEL TURNIPSEED, P.E.,

Proof of beneficial use filed.....OCT 16 1995..... State Engineer of Nevada, have hereunto set my hand and the seal of my

Cultural map filed..... office, this.....28th.....day of.....September.....

Certificate No. 14336.....Issued JUN 18 1996.....A.D. 19.....90.....  
.....*[Signature]*.....  
.....State Engineer

## Attachment A

ASH MEADOWS NATIONAL WILDLIFE REFUGE  
Nye County, Nevada  
Mount Diablo Meridian  
Lands within Approved Boundary

T. 17 S., R. 50 E.

Section 9 Lots 7 and 8, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
10 S $\frac{1}{4}$ ;  
12 NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
15 All;  
16 All;  
17 E $\frac{1}{4}$ E $\frac{1}{4}$ ;  
19 SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
20 E $\frac{1}{4}$ , S $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
21 All;  
22 All;  
23 Lots 3 and 4, W $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
26 S $\frac{1}{4}$ ;  
27 All;  
28 All;  
29 All;  
30 E $\frac{1}{4}$ E $\frac{1}{4}$ ;  
32 E $\frac{1}{4}$ , E $\frac{1}{4}$ W $\frac{1}{4}$ ;  
33 All;  
34 All;  
35 All;  
36 W $\frac{1}{4}$ , S $\frac{1}{4}$ SE $\frac{1}{4}$ ;

T. 17 S., R. 51 E.

Section 31 Lot 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
32 S $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ ;

T. 18 S., R. 50 E.

Section 1 All;  
2 All;  
3 All;  
4 All;  
9 E $\frac{1}{4}$ , NW $\frac{1}{4}$ ;  
10 All;  
11 All;  
12 All;  
13 All;  
14 All;  
15 All;  
16 E $\frac{1}{4}$ E $\frac{1}{4}$ ;  
23 All;  
24 All;  
25 N $\frac{1}{4}$ ;  
26 NE $\frac{1}{4}$ ;

T. 18 S., R. 51 E.

Section 5 All;  
6 All;  
7 All;  
8 All;  
17 W $\frac{1}{4}$ E $\frac{1}{4}$ , W $\frac{1}{4}$ ;  
18 All;  
19 All;  
20 W $\frac{1}{4}$ E $\frac{1}{4}$ , W $\frac{1}{4}$ ;  
29 W $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ ;  
30 N $\frac{1}{4}$ .